

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
TYLER DIVISION**

BLUE SPIKE, LLC,	§	
	§	
Plaintiff,	§	
	§	
v.	§	Case No. 6:12-CV-499-MHS
	§	LEAD CASE
CLEAR CHANNEL BROADCASTING, INC.,	§	
	§	Case No. 6:12-CV-595-MHS
Defendant.	§	CONSOLIDATED CASE
	§	
	§	JURY TRIAL DEMANDED
	§	

**DECLARATION OF RYAN K. YAGURA IN SUPPORT OF  
DEFENDANT CLEAR CHANNEL'S RESPONSE TO PLAINTIFF'S NOTICE OF  
"ADDITIONAL" FACTS**

I, Ryan K. Yagura, declare and state as follows:

1. I am an attorney licensed to practice law in the State of Texas and am a partner at the law firm of O'Melveny & Myers LLP , attorneys for Defendant Clear Channel Broadcasting, Inc. All of the facts set forth herein are known to me personally, and if called as a witness, I could and would testify competently thereto.

2. Blue Spike, LLC ("Blue Spike") did not inform Clear Channel that it intended to file a Notice of "Additional" Facts.

3. Attached hereto as Exhibit A is a true and correct copy of Clear Channel's Initial Disclosures served on Blue Spike on May 1, 2014.

4. I have spoken with Philippe Generali and Richard Beck, and both work out of RCS's main headquarters in White Plains, New York.

5. I have spoken with Dyon Anniballi, and he works for RCS out of his home in Pennsylvania.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct. This Declaration is executed this 27th day of May, 2014, at Los Angeles, California.

/s/ Ryan K. Yagura  
Ryan K. Yagura